



7217/65921

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shigeyuki Baba et al.
Serial No. : 09/977,439
Filed : October 15, 2001
For : AN IMAGE CAPTURE DEVICE, A METHOD OF CAPTURING IMAGES, AN
IMAGE PRODUCING DEVICE AND A METHOD OF PRODUCING IMAGES
Date : June 21, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

Transmitted herewith is a Petition to Withdraw the Holding of Abandonment in the above-identified application.

- ☒ No fee is required.
- ☐ The fee has been calculated as shown below.
- ☐ Total claims in excess of ___ previously paid for, at \$18 (\$9)
- ☐ Independent claims in excess of ___ previously paid for, at \$84 (\$42)
- ☐ Additional Fee for this Amendment
- ☐ This Response is being filed within the ___ first month, ___ second month, ___ third month, ___ fourth month, ___ fifth month following the expiration of the term originally set therefor. Applicants Petition for an extension, and the fee of ___ \$110 (\$55), ___ \$420 (\$210), ___ \$950 (\$475), ___ \$1,480 (\$740), ___ \$2,010 (\$1,005) is due and paid herewith.
- ☐ A check in the amount of \$ 0.00 is attached.
- ☒ Please charge any additional fees or credit any overpayment to Deposit Account No. 03-3125.

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Serial No. : 09/977,439

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For : AN IMAGE CAPTURE DEVICE, A METHOD OF CAPTURING
IMAGES, AN IMAGE PRODUCING DEVICE AND A
METHOD OF PRODUCING IMAGES

Group A.U. : 2671

Examiner : Phu K. Nguyen

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**DIRECTOR OFFICE
TECHNOLOGY CENTER 2600**

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I hereby certify that this paper is being deposited with the U.S.
Postal Service as first class mail addressed to : Commissioner for
Patents, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-
1450

JAY H. MAIOLI
Reg. No. 27,213

Jay H. Maioli
Date
June 21, 2004

June 21, 2004
1185 Avenue of the Americas
New York, NY 10036
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PETITION UNDER 37 C.F.R. § 1.8(b) TO WITHDRAW THE
HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

A Notice of Abandonment dated June 7, 2004 was received by the undersigned. The stated reason for the abandonment was applicant's failure to timely file a response to a November 20, 2003 Office Action.

Applicant respectfully submits that a proper response was in fact timely filed and hereby petitions the Commissioner to

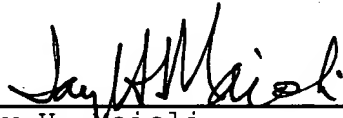
withdraw the holding of abandonment.

Enclosed herewith are:

- X a copy of the Amendment mailed on February 12, 2004
2002 including a Certificate of Mailing dated
February 12, 2004 (Exhibit A); and
- X a copy of the return postcard dated February 17,
2004 from the Patent and Trademark Office (Exhibit
B).

Applicants timely mailed the Amendment in accordance
with 37 C.F.R. §1.8(a), however, for some unknown reason the
Amendment was not received by the Examiner.

Respectfully submitted,



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JHM/PCF:tb
enc.